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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David J. Pinsky, et al.
U.S. Serial No.: 10/679,135 Examiner: John Pak
Filed : October 3, 2003 Art Unit: 1616
For : A METHOD FOR TREATING ISCHEMIC DISORDER USING
CARBON MONOXIDE

1185 Avenue of the Americas
New York, New York 10036
June 26, 2008

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants note that the above-identified application is currently involved in Patent Interference No. 105,619 McK where applicants have been designated the senior party. Applicants also note that this Supplemental Information Disclosure Statement is being filed further to a May 16, 2008 telephone conference between Ms. Maria Vignone of the Board of Patent Appeals and Interferences and Brian Amos, an associate in the undersigned's law firm, during which Ms. Vignone indicated to Mr. Amos that (1) Senior Administrative Patent Judge McKelvey had granted applicants permission to file this Supplemental Information Disclosure Statement (SIDS) and (2) this SIDS should be filed with the United States Patent and Trademark Office using the normal procedure and filed in connection with Patent Interference No. 105,619 McK and served on counsel for the opposing parties in the interference. Accordingly, applicants note that a copy of this SIDS is also being filed with the Board and being served on counsel for the opposing parties in Patent Interference No. 105,619 McK.

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Applicants: David J. Pinsky, et al.
U.S. Serial No.: 10/679,135
Filed: October 3, 2003
Page 2

In accordance with the duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following items, which are listed on the Substitute Form PTO-1449 attached hereto as **Exhibit A**. Copies of items 33-257 listed below are attached hereto as **Exhibits 1-225**, respectively. Applicants note that items 3-22, 27-32, 36-37, 39-44 and 63-257 listed below were disclosed or cited in connection with U.S. Patent 7,238,469 issued July 3, 2007 to Bach et al., which is the patent involved in above-referenced Patent Interference No. 105,619 McK. Items 1 to 32 listed below are U.S. Patents or U.S. Patent Application Publications. In accordance with 37 C.F.R. §1.98(a)(2)(ii), no copies of items 1 to 32 are attached hereto.

1. U.S. Patent No. 4,711,848 issued December 8, 1987 to Insley et al.;
2. U.S. Patent No. 5,807,980 issued September 15, 1998 to Lasters et al.;
3. U.S. Patent No. 4,053,590 issued October 11, 1977 to Bonsen et al.;
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8. U.S. Patent No. 5,240,912 issued August 31, 1993 to Todaro;
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Applicants: David J. Pinsky, et al.
U.S. Serial No.: 10/679,135
Filed: October 3, 2003
Page 3

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Applicants: David J. Pinsky, et al.
U.S. Serial No.: 10/679,135
Filed: October 3, 2003
Page 4

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32. U.S. Patent Publication Application No. 2005-0250688 published November 10, 2005 to Pinsky et al.;
33. European Patent Publication No. EP 0 951 292 B1 published April 30, 2008 to Pinsky et al.; **(Exhibit 1)**
34. European Patent Publication No. EP 1 829 550 A3 published April 30, 2008 to Pinsky et al.; **(Exhibit 2)**
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Applicants: David J. Pinsky, et al.
U.S. Serial No.: 10/679,135
Filed: October 3, 2003
Page 5

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Applicants: David J. Pinsky, et al.
U.S. Serial No.: 10/679,135
Filed: October 3, 2003
Page 6

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Applicants: David J. Pinsky, et al.
U.S. Serial No.: 10/679,135
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Applicants: David J. Pinsky, et al.
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Page 12

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Applicants: David J. Pinsky, et al.
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Page 14

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U.S. Serial No.: 10/679,135
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Page 15

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U.S. Serial No.: 10/679,135
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This Supplemental Information Disclosure Statement is being submitted under 37 C.F.R. §1.97(c)(2). Accordingly, applicants enclose a check in the amount of ONE HUNDRED AND EIGHTY DOLLARS (\$180.00) for filing this Supplemental Information Disclosure Statement.

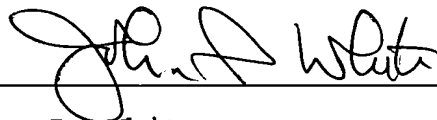
The Examiner is respectfully requested to consider and make of record the above-listed items by initialing and returning to applicants' undersigned counsel a copy of the enclosed Substitute Form PTO 1449.

Applicants: David J. Pinsky, et al.
U.S. Serial No.: 10/679,135
Filed: October 3, 2003
Page 29

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee, other than the enclosed \$180.00 fee for submitting this Supplemental Information Disclosure Statement, is deemed necessary. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

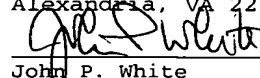
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